

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JOHN STUART,

Defendant.

21-CR-07-LJV-JJM

NOTICE OF MOTION

MOTION BY:

Jeffrey T. Bagley, Assistant Federal Public
Defender

DATE, TIME & PLACE:

Before the Honorable Jeremiah J. McCarthy, United
States Magistrate Court Judge, Robert H. Jackson
United States Courthouse, 2 Niagara Square,
Buffalo, New York, **on the papers submitted.**

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender
Jeffrey T. Bagley, dated January 6, 2023.

RELIEF REQUESTED:

Extension on time to file Reply to the Government's
Response in Opposition.

DATED:

Buffalo, New York, January 6, 2023.

Respectfully submitted,

/s/ Jeffrey T. Bagley

Jeffrey T. Bagley
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Counsel for Defendant John Stuart

TO: David J. Rudroff
Assistant United States Attorney

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AFFIRMATION

JEFFREY T. BAGLEY, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and I represent the defendant, John Stuart, in the instant matter.

2. The Government filed a response to the defendant's Motion to Compel on December 12, 2022 (Dkt # 66).

3. The current due date for the defendant's reply is January 9, 2023.

4. The government has recently provided additional discovery that will be relevant to the reply memorandum. I will need additional time to review the discovery.

5. Therefore, I request a 1-week extension of the reply date.

6. The government has no objection to this request, and time remains excluded because of the pending motion.

WHEREFORE, it is respectfully requested that the defense's reply due date be extended by 1 week.

DATED: Buffalo, New York, January 6, 2023.

Respectfully submitted,

/s/ Jeffrey T. Bagley

Jeffrey T. Bagley

Assistant Federal Public Defender

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TO: David J. Rudroff
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